

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: OM DUTT TYAGI, et al

Application No.: 10/532,194

Group No.: 1624

Filed: September 13, 2005

Examiner: Mark L. Berch

For: METHOD FOR MANUFACTURE OF CEFTIOFUR

**Commissioner for Patents**

**P. O. Box 1450**

**Alexandria, VA 22313-1450**

**Date of this paper: August 28, 2008**

**CONDITIONAL PETITION AND FEE FOR EXTENSION OF TIME**

*NOTE: 37 C.F.R. § 1.704(b)". . . an applicant shall be deemed to have failed to engage in reasonable efforts to conclude processing or examination of an application for the cumulative total of any periods of time in excess of three months that are taken to reply to any notice or action by the Office making any rejection, objection, argument, or other request, measuring such three-month period from the date the notice or action was mailed or given to the applicant, in which case the period of adjustment set forth in § 1.703 shall be reduced by the number of days, if any, beginning on the day after the date that is three months after the date of mailing or transmission of the Office communication notifying the applicant of the rejection, objection, argument, or other request and ending on the date the reply was filed. The period, or shortened statutory period, for reply that is set in the Office action or notice has no effect on the three-month period set forth in this paragraph."*

*NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should, therefore, be made. See the Notice of April 7, 1986, 1065 O.G. 31-33.*

*NOTE: For use only when no petition and fee for extension of time is filed.*

This conditional petition is being filed along with the  
accompanying AMENDMENT IN RESPONSE TO OFFICIAL ACTION OF MAY 28, 2008  
(Indicate type of PTO response being filed)

and provides for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

**Conditional petition for extension of time**

If any extension of time for the accompanying response is required, applicant requests that this be considered a petition therefor.

**Status**

This application is on behalf of

☒ other than a small entity.

☐ a small entity.

A Statement or Written Assertion:

☐ is attached.

☐ is already filed.

**Authorization for payment of fees**

The Commissioner is authorized to charge any fees under 37 C.F.R. § 1.17(a) to (d), which may be required by this Conditional Petition to Account 12-0425.

Reg. No.: 33778

Tel. No.: (212)708-1935

Customer No.:00140



00140

PATENT TRADEMARK OFFICE

  
\_\_\_\_\_  
SIGNATURE OF PRACTITIONER  
JANET I. CORD

\_\_\_\_\_  
(type or print name of practitioner)

\_\_\_\_\_  
P.O. Address

\_\_\_\_\_  
c/o Ladas & Parry LLP  
26 West 61<sup>st</sup> Street  
New York, N.Y. 10023